

REMARKS

Claims 1-16, 19-35 and 37-39 are pending in the application. Claims 17, 18, and 36 have been cancelled. Claims 32-35 are allowed and claims 15 and 16 are objected to.

The Applicants further wish to thank the Examiner for his thorough review of the above-identified application and particularly for the allowance of the subject matter disclosed in claims 15-16 and 32-35.

Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 1-14, 19-23, and 26-29 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,999,682 to Vincent (hereinafter “Vincent”). Applicants contend that Vincent does not include each and every limitation of Applicants’ amended claim 1. As is stated in MPEP 2131, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” (citing *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). Furthermore, *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), stated that “[t]he identical invention must be shown in as complete detail as is contained in the...claim.”

Vincent teaches carrier carriages 14, 14’ that are “adapted to receive one of the two fibers to be jointed.” Col. 5, lines 11-12. However, specifically addressing Applicants’ amended claim 1, Vincent does not teach an insertion mechanism that rotates the end of the fiber between a cleavage orientation and an insertion orientation with respect to the connector holder, in order to insert the fiber into the connector, where an optical fiber cleaving mechanism has a cleavage orientation having a first axis; and a fiber insertion mechanism having a fiber insertion orientation having a second axis, where the first and second axes are substantially perpendicular; and arranged such that an optical fiber may be cleaved by the cleaving mechanism to produce an end of the fiber, and the end of the fiber may be inserted by means of the insertion mechanism into a connector held by the connector holding means, wherein the insertion mechanism rotates the end of the fiber between the cleavage orientation and the insertion orientation with respect to

the connector holder, in order to insert the fiber into the connector, the rotation of the fiber by the insertion mechanism being through substantially 90 degrees.

Vincent does explain that “[e]ach carrier carriage 14, 14’ is adapted to receive one of the two fibers to be jointed and includes a mobile fiber-carrier device 123, 123’ that can pivot in the carriage about an axis which here is parallel to the guide rods.” Col. 5, lines 11-14. However, the rotation of fiber-carrier device 123, 123’ may only “be adjusted between 0° and about 20°, preferably between 0° and about 12°.” Col. 5, lines 36-37. Vincent also explains that the fiber-carrier device 123, 123’ rotates to enable oblique cutting of the fiber. As such, Vincent only teaches a fiber that may rotate within 20° for the purpose of changing the angle of the cut on the fiber. Vincent fails to disclose rotation of the fiber by an insertion mechanism that is through substantially 90° in order to insert the fiber into a connector. The Examiner takes the position that “relative” movement occurs between the fibers and the connector, such that movement of the connector to the fiber by movement of cradle 17 to the fibers is the same as the insertion mechanism rotating the end of the fiber between the cleavage orientation and the insertion orientation with respect to the connector holder. Applicant contests this position. Rather, Vincent makes it apparent that the fiber is not located within either subassembly 15 or 16 during the rotation; instead, the fiber is held at the same location and subassemblies 15 and 16 rotate to the position of the fiber.

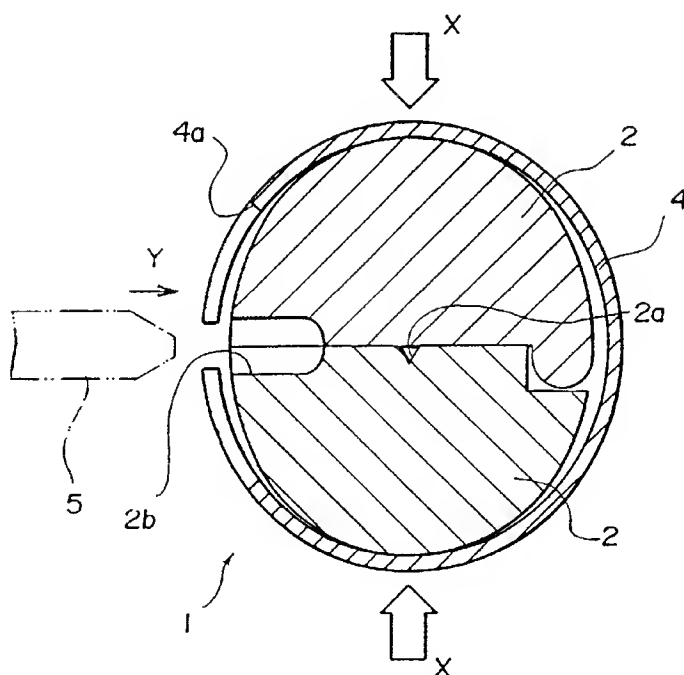
Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 24-25, 30-31, and 38-39 as being obvious over Vincent in view of U.S. Patent No. 6,190,054 to Tamaki (hereinafter “Tamaki”). Applicants believe that the rejection regarding claims 24-25, and 30-31, has been rendered moot in light of the amendment to claim 1.

With respect to the examiner's rejection of claims 38-39, Applicants believe that the Examiner has failed to establish a prima facie case of obviousness by the combination of Vincent and Tamaki. In particular Applicants believe that the Examiner has failed to provide reasoning why one skilled in the art would have been lead to combine the two teachings. The Examiner indicates that the addition of Tamaki would provide a more amenable device since it eliminates component 2 of Vincent.

Applicant believes that this argument is without merit and changes the manner in which Vincent operates. The Vincent reference indicates that the immobilizing member 2 is "used to apply pressure to the portions of fiber inserted via the orifices 5 between itself and the groove 4 of a receiving housing 1 to hold them in position when the immobilizing member 2 including it is pushed into the second of the positions mentioned above relative to the receiving housing 1 to which it is fitted." See Column 3, lines 9-14. Rather, as shown below, Tamaki uses wedge 5 for insertion into 2b to wedge open the halves 2, 2 to allow for the insertion of a fiber into opening 2a. The Examiner's own reasoning and rational for obviousness, actually teaches away from the combination.

FIG.10



Final Remarks

Applicants believe that all of the pending claims 1-16, 19-35, and 37-39 are in condition for allowance and respectfully request passage thereof.

In the event Applicants have overlooked the need for an additional extension of time or

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payment of fee, Applicants hereby petition for and authorize that any charges be made to Deposit Account No. 02-0390, Baker & Daniels LLP.

If any questions concerning this application should arise, the Examiner is encouraged to telephone the undersigned at 317-237-1115.

Respectfully submitted,

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